



PUBLIC NOTICE

Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

DA 07-3923
September 13, 2007

**PLEADING CYCLE ESTABLISHED FOR COMMENTS ON
QWEST PETITION FOR FORBEARANCE UNDER
47 U.S.C. § 160(c) FROM TITLE II AND *COMPUTER INQUIRY*
RULES WITH RESPECT TO BROADBAND SERVICES**

WC Docket No. 06-125

Comments Due: September 20, 2007

On September 12, 2007, Qwest Corporation and Qwest Communications Corporation (jointly, Qwest) filed a petition for forbearance pursuant to section 10(c) of the Communications Act of 1934, as amended (the Act), 47 U.S.C. § 160(c). In its petition, Qwest asks the Commission to forbear from applying Title II and the *Computer Inquiry* rules to any broadband services Qwest does or may offer to the extent those services are not offered as part of an Internet access service.¹ “Qwest requests that the Commission establish an expedited comment cycle for Qwest’s petition, in light of the disparate regulatory treatment that currently exists between similarly situated providers of the broadband services in question” by virtue of the grant, by operation of law, of certain forbearance relief to Verizon.² Qwest states that “[g]iven these circumstances, it is critical that the Commission act quickly on Qwest’s petition to afford Qwest the same regulatory relief under which Verizon currently operates.”³

This Public Notice establishes certain procedural requirements relating to consideration of the Qwest petition for forbearance. This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules. See 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented generally is required. See 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in Section 1.1206(b) of the Commission’s rules, 47 C.F.R. § 1.1206(b).

¹ Qwest Petition for Forbearance Under 47 U.S.C. § 160(c) from Title II and *Computer Inquiry* Rules with Respect to Broadband Services, WC Docket No. 06-125 (Sept. 12, 2007).

² Letter from Melissa E. Newman, Qwest, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 06-125 at 1 (filed Sept. 12, 2007).

³ *Id.*

Interested parties may file comments on the petition on or before **September 20, 2007**. All pleadings are to reference **WC Docket No. 06-125**. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁴

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.
 - For ECFS filers, if multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy of the comments for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message, "get form." A sample form and directions will be sent in response.
- **Paper Filers:** Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail should be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

⁴ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322 (1998).

Parties should also send a copy of their filings to Janice Myles, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, Room 5-C140, 445 12th Street, SW, Washington, DC 20554, or by e-mail to Janice.Myles@fcc.gov. Parties shall also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Documents in WC Docket No. 06-125 are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail fcc@bcpiweb.com. These documents may also be viewed on the Commission's website at <http://www.fcc.gov/cgb/ecfs>.

For further information regarding this proceeding, contact Heather Hendrickson or William Kehoe, Competition Policy Division, Wireline Competition Bureau, (202) 418-1580, or via e-mail at Heather.Hendrickson@fcc.gov and William.Kehoe@fcc.gov.

- FCC -